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10 Attorneys for Plaintiff and Counterdefendant Bally Gaming, Inc.
and Third Party Defendant Sierra Design Group
11

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

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15 BALLY GAMING, INC., a Nevada corporation
d/b/a BALLY TECHNOLOGIES,

16 Plaintiff and Counterdefendant,
17 vs.
18 IGT, a Nevada corporation,
19 Defendant and Counterclaimant.
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21 IGT, a Nevada corporation,
22 Third Party Plaintiff,
23 vs.
24 SIERRA DESIGN GROUP, a Nevada
corporation,
25 Third Party Defendant.
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Case No. 3:06-CV-0483-ECR (RAM)

REQUEST TO FILE DOCUMENTS UNDER
SEAL AND [PROPOSED] ORDER

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REQUEST TO FILE UNDER SEAL

2 Plaintiff Bally Gaming Inc. (“Bally”) respectfully requests the Court allow Bally to file
 3 under seal the following documents:
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- 5 • Sur-Reply in Support of Bally’s Opposition to IGT’s Amended Motion for
 Summary Judgment that the ‘916 Patent Is Invalid Based on the Prior Art “Topsy
 Turvy” Machine;
- 6 • Confidential Declaration of William Patrick Miller in Support of Sur-Reply; and
- 7 • Confidential Declaration of Todd Kennedy in Support of Sur-Reply

8 The Stipulated Protective Order Regarding Confidential and Privileged Information
 9 provides that, “To the extent that any Confidential or Highly Confidential Information is contained
 10 in, incorporated in, reflected in, described in, or attached to any document submitted to the Court,
 11 counsel shall file that submission under seal.” (See Docket Entry No. 54 at ¶ 12.) The Order
 12 defines “Confidential” material as any information that the designating party has a good faith
 13 belief to be non-public. “Highly Confidential” material is any information that the designating
 14 party has a good faith belief to be proprietary information, trade secrets, or other highly sensitive
 15 commercial or competitive information. (See id. at ¶¶ 3-4.)

16 For the foregoing reasons, Bally respectfully requests the Court to order that the
 17 aforementioned documents, along with all exhibits, shall be maintained under seal.
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2 Dated: May 5, 2008
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4 /s/
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14 Counterdefendant Bally Gaming, Inc. and
15 Third Party Defendant Sierra Design
Group.

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17 IT IS SO ORDERED
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19 Dated: May 6, 2008.
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22 Hon. Robert A. McQuaid, Jr.
United States Magistrate Judge
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